



LOUISVILLE & NASHVILLE RAILROAD COMPANY

908 W. BROADWAY • LOUISVILLE, KENTUCKY 40203

TELEPHONE (502) 587-5235

RECORDATION NO. 8540-A Filed 1425

JUL 24 1979 - 9 13 AM

INTERSTATE COMMERCE COMMISSION

LAW DEPARTMENT

July 5, 1979

DAVID M. YEARWOOD  
GENERAL ATTORNEY

Date JUL 24 1979

Fee \$ 10.00

CC Washington, D. C.

Mr. H. G. Homme, Jr.  
Secretary  
Interstate Commerce Commission  
Washington, D. C. 20423

Dear Mr. Secretary:

There are transmitted to you herewith for filing and recordation pursuant to 49 U.S.C. Section 11303 duly executed counterparts of an Agreement of Release dated as of June 15, 1979 between ACF Industries Incorporated, whose address is 750 Third Avenue, New York, New York 10017, and Louisville and Nashville Railroad Company, whose address is 908 West Broadway, Louisville, Kentucky 40203.

By this Agreement of Release, the parties acknowledged the complete satisfaction and full release of that Agreement dated as of October 21, 1976 between said parties which was filed and recorded with the Interstate Commerce Commission on October 29, 1976 and assigned Recordation No. 8540.

The equipment covered by said Agreement was 150 100-ton covered hopper cars bearing L&N Railroad Road Numbers 241650 through 241799.

Attached hereto is a draft in the amount of \$10 payable to the Treasurer of the United States to cover the recordation fee for said Agreement of Release.

This letter of transmittal is signed by an officer of Louisville and Nashville Railroad Company designated for the purpose hereof who has knowledge of the matters set forth herein.

After recordation, please return the recorded counterparts of said Agreement of Release to

JUL 24 1979

10.00

8540-A

*Counterpart of H. G. Homme*

Mr. David M. Yearwood  
General Attorney  
Louisville and Nashville Railroad Company  
908 West Broadway  
Louisville, Kentucky 40203

Respectfully yours,

LOUISVILLE AND NASHVILLE RAILROAD COMPANY

By David M. Yearwood  
David M. Yearwood  
General Attorney

Agreement of Release dated as of June 15, 1979,  
between ACF Industries Incorporated ("ACF") and Louisville  
and Nashville Railroad Company ("L&N").

RECORDATION NO. 8540-A Filed 1425

JUL 24 1979 - 9 13 AM

WITNESSETH:

INTERSTATE COMMERCE COMMISSION

WHEREAS, ACF and L&N entered into an Agreement  
dated as of October 21, 1976 ("Agreement") covering 150 100-  
ton covered hopper cars bearing L&N road numbers 241650 through  
241799;

WHEREAS, the Agreement was filed and recorded with  
the Interstate Commerce Commission on October 29, 1976 and  
assigned Recordation No. 8540; and

WHEREAS, the parties hereto desire to execute and  
deliver this instrument, in recordable form, to acknowledge  
for public record, the release, discharge and satisfaction of  
their respective rights and obligations under the Agreement.

NOW, THEREFORE, in consideration of the premises  
and of the promises of the parties herein contained, ACF and  
L&N hereby acknowledge the release, discharge and satisfaction  
of their respective rights and obligations under the Agreement.

L&N will cause this Agreement to be filed and  
recorded with the Interstate Commerce Commission.

This Agreement may be simultaneously executed in two or more counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute but one and the same instrument, which shall be sufficiently evidenced by any such counterpart.

IN WITNESS WHEREOF, ACF and L&N have caused these presents to be signed in their respective corporate names by their respective officers and their respective corporate seals to be hereunto affixed, duly attested, as of the day and year first above written.

ACF INDUSTRIES INCORPORATED

(Corporate Seal)

By

  
SENIOR VICE PRESIDENT

ATTEST:

  
SECRETARY


LOUISVILLE AND NASHVILLE RAILROAD COMPANY

By

  
Assistant Vice President

(Corporate Seal)

ATTEST:

  
Attesting Officer

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF NEW YORK )

On this 19<sup>th</sup> day of July, 1979, before me personally appeared J. D. BRINKERHOFF, to me personally known, who, being by me duly sworn, says that he is SENIOR VICE PRESIDENT of ACF Industries Incorporated, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

  
Notary Public

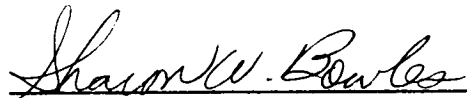
My Commission expires

EDWIN F. MEYER  
NOTARY PUBLIC, State of New York  
No. 30 7917803  
Qualified in Nassau County  
Certificate filed in New York County  
Commission Expires March 30, 1980

(Notarial Seal)

COMMONWEALTH OF KENTUCKY)  
 ) SS:  
COUNTY OF JEFFERSON )

On this 10<sup>th</sup> day of July, 1979, before me personally appeared W. E. Gittstrap, to me personally known, who, being by me duly sworn, says that he is an Assistant Vice President of Louisville and Nashville Railroad Company, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

  
Notary Public

My Commission expires

July 26, 1982

(Notarial Seal)